United Nations S/2007/424

Security Council

Distr.: General
12 July 2007

Original: English

Letter dated 12 July 2007 from the Secretary-General addressed to the President of the Security Council

I have the honour to transmit the eighth report of the International Independent Investigation Commission, which was prepared pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007).

The report describes progress made by the Commission since its previous report dated 15 March 2007 (S/2007/150) in investigating the February 2005 assassination of former Lebanese Prime Minister Rafik Hariri and 22 other victims, and in providing technical assistance to the Lebanese authorities in their investigation of a number of other attacks perpetrated in Lebanon since 1 October 2004.

The present report provides information on the Commission's priority work in the investigation of the Hariri case, and into 17 other cases, including the assassination of former Member of Parliament Walid Eido in June 2007. The Commission also undertook a comprehensive review of its past and current investigations, which has yielded positive results, including the refinement of the workplan to maximize the utilization of its limited resources. Furthermore, the report highlights, pursuant to Security Council resolution 1757 (2007), steps taken by the Commission to ensure a coordinated transition of its activities to the Special Tribunal for Lebanon.

I wish to express my thanks to Commissioner Brammertz for his tireless leadership, and to the staff of the Commission for their dedication and commitment, particularly in the light of the deterioration in the political and security environment in Lebanon.

I should be grateful if you would bring this matter to the attention of the members of the Security Council. Meanwhile, I am transmitting the report to the Government of Lebanon.

(*Signed*) **Ban** Ki-moon

07-42318 (E) 170707

Eighth report of the International Independent Investigation Commission established pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007)

Serge Brammertz
Commissioner

Beirut
July 2007

Summary

The Security Council requested the International Independent Investigation Commission to report to the Council on progress in its inquiry, including cooperation received from the Syrian authorities.

The present report outlines progress made in the different aspects of the investigations into the assassination of Rafik Hariri and the 17 other cases for which the Commission has been mandated to provide technical assistance to the Lebanese authorities, including the June 2007 assassination of Member of Parliament Walid Eido.

Since its last report to the Council on 15 March 2007 (S/2007/150), in addition to actively pursuing these investigations, the Commission completed a comprehensive review of all its information, analysis and findings on all past and current investigations. This significant undertaking, which involved all the investigative staff of the Commission, has produced several positive results outlined in this report. Among others, this effort has allowed the Commission to refine its workplans for the next reporting period, making the best possible use of its limited resources.

During the reporting period, the Commission continued to receive generally positive responses to its requests for assistance to Lebanon, the Syrian Arab Republic and other States. Cooperation from all States remains crucial to the Commission's work, and the Commission calls upon all States to be forthcoming in their responses to its requests for assistance.

The Commission notes with concern the deterioration in the political and security environment in Lebanon since its last report to the Council. Although the Commission, in close cooperation with the Lebanese authorities, has put in place mitigating measures to protect its staff and premises, the deterioration in the political and security environment is likely to have a negative effect on the Commission's activities in the coming months.

In the light of the establishment of a Special Tribunal for Lebanon by the Security Council in resolution 1757 (2007), the Commission has taken several steps to facilitate the handover from the Commission to the Special Tribunal for Lebanon at a time when the latter shall begin functioning.

I. Introduction

1. The present report is submitted pursuant to Security Council resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007), in which the Council requested the International Independent Investigation Commission to report every four months to the Council on the progress of its inquiry, and on international cooperation, including the cooperation received from the Syrian authorities.

2. This report, the eighth report issued by the Commission, provides an update on issues covered in previous reports to the Council and notes progress in the work of the Commission since its last report of 15 March 2007 (S/2007/150).

3. As outlined in earlier reports, the Commission remains particularly mindful of its obligation to protect the confidentiality of its investigations both in order to ensure the integrity of the legal process and to protect those who have provided information and assistance to the Commission. This approach is taken in full agreement with the Lebanese judicial authorities.

4. Since the last report to the Council, the security situation in Lebanon has deteriorated significantly, as illustrated by the prolonged combat between the Lebanese army and militants in the north of the country, the assassination of Member of Parliament Walid Eido and seven others in central Beirut on 13 June 2007, and the attack on a convoy of the United Nations Interim Force in Lebanon (UNIFIL) in the south of Lebanon on 24 June 2007 in which six peacekeepers were killed. The reporting period also saw several other major bomb attacks throughout the country. This degradation in the security environment comes hand-in-hand with increased political tension in Lebanon and in the region. The Commission, in close cooperation with the Lebanese security forces and with other United Nations bodies, continues to pay close attention to these developments and to try to mitigate the effect these may have on its investigations and on the security of its staff.

5. The Commission continues to maintain close and collegial interaction with the Lebanese authorities on all matters related to its work. Responses from other States, including the Syrian Arab Republic, remain generally satisfactory. The Commission's interaction with all States, including Lebanon and the Syrian Arab Republic, remains an important factor in the Commission's ability to carry out its mandate.

6. The Commission notes the adoption of Security Council resolution 1757 (2007) on 30 May 2007, calling for the establishment of a Special Tribunal for Lebanon. The Commission looks forward to cooperating closely with the Special Tribunal for Lebanon during a transition phase in which the Commission's work will be transferred to the Office of the Prosecutor of the Tribunal. The Commission has taken several important steps to ensure a smooth handover at the appropriate time in the near future.

7. In this regard, the reporting period was marked by a significant exercise of consolidation of all of the Commission's information, findings and recommendations of all of the investigations it is conducting. This complex exercise has produced comprehensive confidential consolidated reports totalling more than 2,400 pages, including a 2,000-page report on its investigation into the assassination of former Prime Minister Rafik Hariri and 22 others in Beirut on 14 February 2005,

which the Commission is ready to hand over to the Prosecutor of the Special Tribunal for Lebanon at the appropriate time.

8. During the reporting period, the Commission also made progress in the different areas of the Hariri investigation. Following requests of the Security Council, the Commission also continued to provide technical assistance to the Lebanese authorities in their investigations of 17 other cases, including the assassination of Walid Eido, and to investigate any possible links between these cases and the Hariri case. In total, 84 interviews were conducted during the reporting period by the Commission, covering all current investigations.

II. Consolidation of findings and progress in the investigations

9. Since its last report to the Security Council, one of the main tasks undertaken by the Commission was a comprehensive internal consolidation of information held by the Commission in order to take stock of progress made in all areas of the investigations and to prioritize the next investigative steps. In parallel, the Commission pursued its investigations into the Hariri case and continued to provide assistance to the Lebanese authorities in the 17 other cases, including the assassination of Walid Eido.

A. Consolidation of findings, analysis and recommendations

10. The consolidation of findings, analysis and recommendations was launched in March 2007, and consists of a thorough review of the large amounts of information held by the Commission related to all of its investigations. It was completed in June 2007, and resulted in a number of detailed analytical reports, totalling over 2,400 pages, covering different aspects of the investigation.

11. To achieve the common objective of consolidation, the format and methodology adopted for each investigative project varied according to the topic at hand. Each report presents a critical review of all factual findings held by the Commission, including those emanating from investigations undertaken by the Lebanese authorities. Where appropriate, the reports lay out and evaluate the Commission's past and current investigative hypotheses. The reports also present a detailed assessment of results achieved to date, as well as gaps in the knowledge and understanding of the Commission, and make prioritized recommendations regarding the next steps to be undertaken in each investigation project.

12. This time-consuming undertaking has yielded several positive results. First, it has enabled the Commission to critically and comprehensively assess all the information and analysis it has collected since the start of the investigations, as well as progress made to date. Second, by providing the Commission with an up-to-date bird's eye view of the different strands of the investigations, the exercise has allowed the Commission to effectively prioritize the use of its limited resources in the months to come. The consolidation exercise has also helped identify important aspects and individuals of common interest across several areas of the investigations.

13. Finally, against the backdrop of Security Council resolution 1757 (2007) establishing the Special Tribunal for Lebanon, the consolidated reports, which will

be updated to include new findings and analysis, will provide a useful starting point in the transition from the Commission to the Tribunal.

14. In parallel to the consolidation effort, the Commission carried out a thorough inventory of its data holdings during the reporting period. This inventory reveals that, since its creation in 2005, the Commission has accumulated more than 9,200 individual documents amounting to more than 120,000 pages of information related to the investigations. This includes about 1,200 statements, 1,800 investigator notes and over 6,200 other documents, including numerous internal analytical reports and documents received in response to requests for assistance sent to Lebanon, the Syrian Arab Republic and other States.

15. As indicated in previous reports, in order to increase efficiency and facilitate the investigations, the Commission has created and implemented an industry-standard information management system that ensures that the Commission's considerable information holdings are stored in a systematic, secure and user-friendly manner. In addition, the system provides users with powerful search functions and analytical tools. This system has been developed on the basis of best practices used in existing ad hoc international tribunals, and it is foreseen that it will be a particularly useful tool to the Special Tribunal for Lebanon. This is a considerable undertaking and one which, given current resources, the Commission expects will have to be carried over beyond the Commission's current mandate.

B. Hariri investigation

16. During the reporting period, the Commission continued to devote most of its resources to the Hariri investigation. The consolidation of the Commission's sizeable holdings and analysis in this case amounts to a broad review of the work conducted to date in the numerous different areas of the investigation, including the large amounts of forensic and communication analysis used to support the investigations. This effort resulted in a 2,000-page consolidated report covering all areas of the Hariri investigation.

17. The Commission also continued to actively pursue investigative steps during the reporting period. Since the Commission's last report to the Council, 32 interviews were conducted by the Commission in relation to the Hariri investigation, including several particularly significant and extensive interviews in Lebanon, the Syrian Arab Republic and other countries.

1. Crime scene and associated topics

18. The Commission has methodically consolidated its considerable information and findings on the forensic aspects of its investigations in the Hariri case. These findings include a series of detailed analytical reports produced by the Commission and the Lebanese authorities, in conjunction with several international experts, on the explosive and other forensic aspects of the crime scene investigation. These analytical reports were compiled on the basis of 58 different forensic examinations undertaken by the Commission and by external experts on the Hariri case, the majority of which has been finalized. In total, more than 10,000 pages of information have been produced on the crime scene aspects of the investigation.

19. The results and analysis of all the different examinations and reports concerning the forensic aspects of the Hariri investigation were summarized and critically assessed in one consolidated report. The report also highlights some remaining questions, which continue to be investigated.

Improvised explosive device

20. Regarding the issue of the improvised explosive device used in the attack, the Commission has consolidated its findings on the type and quantity of explosives used, the type of initiating system used and the container used to carry the improvised explosive device. Since the establishment of the Commission, several hypotheses were tested on these points using the analysis of exhibits found at the crime scene, real explosion experiments as well as results derived from bloodstain research, document analysis, metallographic and paint analyses, fingerprint and DNA research, wound analysis, analysis of the damage sustained by nearby buildings, 14 scaling explosion experiments and numerical simulations conducted at the Commission's behest. The Commission also reviewed results from seismological analyses conducted to test hypotheses on the number of blasts, time of the blast and sound signature of the blast.

21. As concerns the type of explosive used in the attack, the Commission brought together the results obtained from samples taken at the crime scene and chemical analyses. These confirm that the explosive used was composed of a mix of RDX, PETN and TNT. The Commission's consolidation of its analysis of the crater formed by the explosion, compared with the results derived from the explosion experiments and other aspects of the investigations, confirm the Commission's previous conclusions that a single blast was caused by an above-ground charge consisting of approximately 1,800 kg of explosive detonated at 12:55:05. Ongoing efforts to determine the precise origin of the explosives and to ascertain possible forensic links with other cases will be pursued as priorities in the next reporting period.

22. The Commission's holdings on the type of initiating device covered several possible hypotheses by examining the electronic parts recovered from the crime scene and investigating the status of the electronic countermeasures used in the Hariri convoy. These analyses, and the presence of a number of body parts belonging to an unidentified male at the crime scene, confirm the Commission's previous conclusions that the improvised explosive device was most likely triggered by a suicide bomber. The theory of an aerial attack has largely been excluded by the Commission.

23. The Commission has also consolidated all of its information and findings concerning the container of the improvised explosive device. The Commission has reviewed its examinations of the exhibits collected at the crime scene and the results obtained from analyses of characteristics of the fireball caused by the explosion, thermal effects of the blast on surrounding objects, analysis of the characteristics of the crater caused by the explosion in conjunction with results obtained from explosion experiments and the trajectory analysis of vehicle fragments. The consolidation of findings has reinforced the Commission's previous conclusion that the improvised explosive device was most likely detonated from within a Mitsubishi Canter van.

Investigations on the Mitsubishi van

24. During the last reporting period, progress was made in the line of inquiry around the Mitsubishi Canter van most likely used to carry the explosives. The origin and recent history of the van have been established to the satisfaction of the Commission. According to investigations led by the Commission and by the Lebanese authorities, the van left a Mitsubishi factory in Japan in February 2002 and was reported stolen in Kanagawa, Japan, in October 2004. The van was then shipped to the United Arab Emirates and transported to a showroom close to Tripoli in northern Lebanon in December 2004, where it was sold. The Commission has recently acquired information regarding the sale of the van to individuals who could be involved in the final preparation of the van for the attack on Rafik Hariri. This line of inquiry is being pursued as a priority.

Identity of the alleged suicide bomber

25. Regarding the identity of the suicide bomber, the Commission has brought together and reviewed the results from a large number of ongoing and completed orthodontic, isotope and allele frequency analyses and investigative examinations. Based on preliminary results, the Commission's findings remain that the suicide bomber was a male, probably between 20 and 25 years old; that he had short dark hair; that he originally came from a region more arid than Lebanon; and that he did not spend his youth in Lebanon but lived there in the two to three months before his death, which corresponds to findings in other areas of the Commission's investigations. The Commission's experts also reached the preliminary conclusion that this individual lived in an urban environment for the first 10 years of his life and in a rural environment during the last 10 years of his life.

26. Experiments are ongoing to determine the geographic origin of the unidentified male thought to be the suicide bomber. As reported in the Commission's last report, the Commission collected a total of 112 soil and water samples from 28 locations in the Syrian Arab Republic and Lebanon for comparison purposes. Numerous additional samples were also collected from 26 locations in other countries during the reporting period. On the basis of preliminary results, the Commission has been able to identify a limited number of countries which could be the country of origin of the suicide bomber.

27. The Commission is able to confirm previous conclusions that Ahmed Abu Adass, the individual who appeared in the video claim of responsibility, is not the suicide bomber.

Other forensic issues

28. As part of the consolidation effort, the Commission is in the process of creating a DNA and fingerprint database to be able to store and make use of the 256 nuclear DNA profiles and 66 mitochondrial DNA profiles, 159 fingerprints and two palm prints recovered from the crime scene and on seized items of particular relevance to the investigations. These are currently being compared with existing databases held by several national and international law enforcement agencies.

29. During the reporting period, the Commission initiated an inventory of all the physical and biological exhibits that it has accumulated in the course of its investigations. This process started with the creation of a specific database, standard

operating procedures and the establishment of a dedicated laboratory. About 2,200 exhibits, representing about half of the forensic exhibits currently held by the Commission, have so far been entered into this database. At current capacity, the time-consuming process of entering these exhibits into the database should be completed by the end of the next reporting period.

30. In addition, the Commission has brought together the results of all of its biological examinations, including the detailed results derived from the identification of all the victims in the attack of 14 February 2005. In total, more than 300 biological examinations were conducted in the Hariri investigation, and the results of each of these, including DNA profiles and orthodontic and photographic records, were brought together into one consolidated report.

31. The Commission has also designed a database to store and easily search the sketches of individuals described by eyewitnesses in the course of the investigations. A total of 24 sketches have so far been finalized by sketch artists and entered into this database, which represents a particularly useful tool for interviews and to compare physical descriptions of individuals across different areas of the investigation and across cases.

32. Three digital visualization projects have been completed by external experts to assist investigators to get a clear picture of the city and the crime scene, of the route taken by the convoy and of the movements of Rafik Hariri during his last day, including the alleged communications traffic activity of the bomb team as the convoy proceeded along its route. A fourth project, which will allow users to "walk through" the crime scene, is also ongoing. These visual aids could be of particular use to present certain facts in a possible future court setting.

Other crime scene investigations

33. Through the consolidation of findings related to the crime scene, a number of other issues were resolved to the satisfaction of the Commission. These include, among others, the circumstances behind the choice of the convoy's route from Parliament to the Hariri residence, the status of the electronic jamming devices used by Rafik Hariri's security, the list of persons who knew about the convoy's movement and the composition of Rafik Hariri's convoy on the day of the assassination.

34. In addition, the Commission has reached a satisfactory understanding of the context surrounding specific vehicles present at or near the crime scene. The presence of suspicious road works in the vicinity of the crime scene prior to the attack and allegations of interference with the crime scene after the attack have also been clarified to the satisfaction of the Commission.

35. A number of other areas related to the crime scene remain under active investigation, including a review and finalization of the identification and interview of all the people present at the crime scene at the time of the crime and immediately afterwards.

36. It is worthy of note that the crime scene was released and the road where the attack took place was reopened to vehicle traffic during the reporting period.

2. Individuals involved in the commission of the crime

Ahmed Abu Adass

37. The Commission has completed an extensive review of information and findings related to Ahmed Abu Adass, the individual who appeared in the video claim of responsibility for the attack on Rafik Hariri. This information was drawn from over 70 interviews and a detailed review of all relevant documents. A number of items, including all items seized from the Abu Adass family home, have also been reviewed by the Commission in order to assess their relevance to the investigation. Information retrieved from items seized from other associated individuals and groups has also been reviewed and incorporated into this consolidation exercise, including 10 computers and hard drives, memory sticks and numerous CDs, floppy discs, mobile phones and subscriber identity module (SIM) cards.

38. This consolidation has allowed the Commission to reach a more comprehensive understanding of the background and profile of Ahmed Abu Adass, including his personality, family and associates, employment history, and political and religious views. It has also helped to provide a thorough overview of the Commission's current understanding of his disappearance from his home and the activities of his relatives and friends in the months leading up to and after his disappearance. All of the Commission's information related to the making, acquisition and handling of the videotape has also been reviewed.

39. As indicated earlier, the Commission is able to conclude that Ahmed Abu Adass is not the suicide bomber who carried out the attack on Rafik Hariri. The Commission continues to investigate two possible hypotheses: (a) that Ahmed Abu Adass was forced or duped into recording the video claim of responsibility for the assassination of Rafik Hariri, and then presumably killed; and (b) that Ahmed Abu Adass willingly recorded the video together with individuals belonging to a wider extremist group who may have come together to undertake the filming of the claim of responsibility, acquire the Mitsubishi van and have it prepared with explosives. They may also have participated in the identification of a suicide bomber and may have assisted in delivering him and the bomb to the scene of the crime. In this regard, the Commission has established that some associates of Ahmad Abu Adass had links to networks involved in extremist activities in Lebanon and elsewhere in recent years.

40. In addition, the consolidation effort has helped to identify gaps in the Commission's information and to verify some of its working hypotheses regarding Ahmed Abu Adass. These mainly relate to what happened to him in the period between his disappearance from his home on 16 January 2005 and the assassination of Rafik Hariri and beyond. The Commission is also refining its understanding of the motivation behind the creation of the videotape, the persons involved in its production and delivery and Abu Adass's relationship and links to certain other particular individuals and groups. Key priorities and next steps have been identified to help clarify these matters and to obtain a clearer understanding of the identity and role played by certain persons of interest who may have had a motive, opportunity and capability to carry out the attack.

Communications analysis

41. The Commission has consolidated its sizeable holdings of call records, communications data and analyses related to specific time periods, institutions and individuals of relevance to the Hariri investigation. Since its inception, the Commission has acquired more than 5 billion records of telephone calls and text messages sent through cellular phones in Lebanon, as well as communications data from a number of other countries. The Commission has also acquired a very large number of detailed subscriber call records. Since 2005, the Commission has issued more than 300 requests for assistance to support its communications analysis related to the Hariri investigation.

42. The Commission's communications analysis provides valuable input to the investigations in establishing links between individuals, analysing the behaviour and activity of a number of persons of interest to the investigations and analysing call patterns for specific numbers, times and locations. It is also a very valuable resource in preparing for witness interviews. Given the proven investigative value and potential of communications analysis, the Commission has recently sought outside expertise to help exploit its communications data holdings and analysis. The Commission has also recently acquired new hardware and software, which will allow it to conduct more comprehensive data searches.

43. On the basis of the consolidation exercise, the Commission has confirmed and advanced its earlier conclusions that individuals using six mobile cellular telephone SIM cards acted in a coordinated manner to conduct surveillance on Rafik Hariri in the weeks prior to his assassination. A detailed analysis of the use of these cards on the day of the assassination indicates that these individuals played a critical role in the planning and execution of the attack itself, as demonstrated by their movements and call patterns. The Commission has established the origins of the SIM cards and is finalizing its understanding of the circumstances around the sale of the cards and a number of handsets to the individuals who made use of them in the surveillance of Rafik Hariri. A number of interviews were held during the reporting period to advance this line of inquiry.

44. The Commission also conducted extensive analysis of communications traffic records associated with Ahmed Abu Adass, including analysis of the telephone communication at his home and place of work and on lines belonging to his alleged associates. This revealed interesting information regarding the circumstances around his disappearance from his home and confirms the Commission's conclusions that some of the people with whom he associated had links to networks involved in extremist activities in Lebanon and elsewhere in recent years. In total, 18 communications analysis reports were produced on the topic of Ahmed Abu Adass.

45. Steps have also been taken to learn more about the individuals who placed the calls to the media about the Ahmed Abu Adass video claim of responsibility. The Commission continues to try to identity the callers and to ascertain if any links exist between the callers and individuals or groups of interest to the investigations.

46. The Commission has also been focusing on establishing horizontal and vertical links between individuals linked to the crime scene and those who may have been involved in the preparation of the attack or may have had prior knowledge of the

attack through the analysis of telephone communications. Several telephone numbers have been identified and scrutinized as a result of this line of inquiry.

3. Motives and persons of interest

47. A significant share of the Commission's resources has been devoted to the analysis of the factors that are likely to have shaped the motive to assassinate Rafik Hariri. The consolidation of the Commission's understanding under this heading amounts to a substantial analysis of Rafik Hariri's political and other activities. This also includes a systematic review of the political and security environment in and around Lebanon in the years prior to the attack as it may relate to the motive to carry out the crime.

48. The Commission has reached a satisfactory understanding of the events surrounding the Bank Al-Madina scandal as they relate to the investigations. The Commission is able to conclude that the Al-Madina affair was not a principal motive for the assassination. However, the Commission's holdings on the Al-Madina case have allowed it to reach a much clearer understanding of the financial relationships existing between several individuals through Bank Al-Madina in the period under scrutiny.

49. As indicated in its previous report to the Council, the Commission has significantly narrowed down its investigation into possible motives to those linked to Rafik Hariri's political activities and to the political and personal relationships between Rafik Hariri and political leaders and officials in Lebanon, the Syrian Arab Republic and other countries during that period. The Commission has consolidated its information and findings in a number of areas related to the political environment in Lebanon, with a focus on the 2004-2005 period. It is worthy of note that, although mainly used in the Hariri case, this has also been useful in the investigations of the other attacks targeted at specific individuals.

50. The Commission has consolidated its understanding of the context around the adoption of Security Council resolution 1559 (2004). The Commission has also consolidated its findings on certain relevant aspects of the possible roles played by Rafik Hariri and other prominent Lebanese and international political leaders in the adoption of the resolution and of the perception of those roles by some external parties. While some events surrounding the adoption of resolution 1559 (2004) need to be further investigated, the Commission's working hypothesis is that it is likely that these events played an important role in shaping the environment in which the motives to assassinate Rafik Hariri emerged.

51. The Commission has also focused on the sequence of events that led to the vote to modify the Lebanese Constitution to extend the mandate of President Emile Lahoud and its relevance to the investigation. The Commission has reached a satisfactory understanding of the overall role and position of various political actors during that period and of the impact they could have had on the motive to carry out the attack.

52. The Commission has further focused on reviewing its holdings regarding the new electoral law being discussed during the period under examination and its impact on the different political formations contending the 2005 parliamentary elections, including that of Rafik Hariri. The Commission has also focused on the

perception of possible outcomes held by different parties in Lebanon and elsewhere, the basis for such perceptions and their relevance to the investigation.

53. Although it has focused on this group of inquiries into the motives behind the assassination of Rafik Hariri, the Commission also continues to explore alternative hypotheses. These include the possibility that Hariri was targeted, for example, by extremist groups because he was widely considered in Lebanon and the Arab world as a leading figure in his community. It cannot be excluded that the motives to assassinate Hariri could have arisen from a combination of political and sectarian factors. A number of aspects related to this hypothesis are still being investigated.

54. The Commission has brought together and summarized its findings regarding the organization of certain security and intelligence institutions of relevance to the investigation and present in Lebanon in the period prior to the assassination of Rafik Hariri, particularly during 2004 and early 2005. To advance this line of inquiry, the Commission has increased its understanding of the de facto and de jure structures of various organizations of interest to the investigation.

55. Following a detailed review of all its information and findings, the Commission has broadened its understanding of the environment in which the motives to assassinate Rafik Hariri emerged. On the basis of this understanding, and supported by a number of findings in other areas of its investigations, the Commission has identified a number of persons of particular interest who may have been involved in some aspects of the preparation and commission of the crime or could have had prior knowledge that such a plan was under way. The Commission has consolidated its information and findings and recommended next steps concerning the possible involvement of these individuals in the assassination of Rafik Hariri. This line of inquiry will be pursued as a priority in the next reporting period.

4. Other investigative issues

56. The Commission continues to evaluate reports about several specific threats, warnings and assurances conveyed to Rafik Hariri through different intermediaries in the last months of his life. The Commission's preliminary conclusion remains that tension had escalated in the months prior to the assassination to such an extent that certain issues concerning Rafik Hariri's personal safety had been discussed at a high level both in Lebanon and in other countries. The Commission is also continuing to look into reports that certain individuals were attempting to broker a rapprochement to diffuse these tensions by developing alternative channels of communication. This remains an open line of investigation, which the Commission will pursue in the next reporting period.

57. The Commission has reached a satisfactory understanding of the activities of Rafik Hariri in the days leading up to the attack. In addition, the Commission has established a comprehensive list of the important meetings conducted by Rafik Hariri over a period of several months prior to his assassination. In addition, the Commission has looked into events related to his resignation as Prime Minister in October 2004. The Commission is continuing to complete and confirm details concerning some of these important meetings and events.

5. Witness protection

58. The requirement to ensure the security of witnesses in a manner that will preserve the integrity of evidence remains a priority for the Commission, particularly in view of the transition to the Special Tribunal for Lebanon. Although the Commission is confident that it can provide a timely and appropriate operational response to such a situation if the need arises, the Commission is also aware that a review, formalization and extension of these arrangements will need to be conducted in the near future.

C. Technical assistance in other cases

59. The Commission has consolidated its information, findings and recommendations on each of the other cases and has reviewed the Lebanese authorities' case files. In total, over 400 pages of consolidated reports were produced on these other cases, and the final and preliminary findings from 25 forensic examinations undertaken by the Commission and by external experts on these cases have been reviewed. The consolidation of findings in the 17 cases was carried out with a particular focus on identifying possible links between the cases and with the Hariri case, in line with both the mandate of the Commission and with the Agreement on the establishment of the Special Tribunal for Lebanon, referred to in Security Council resolution 1757 (2007).

60. During the reporting period, as mandated by the Security Council, the Commission continued to provide technical assistance to the Lebanese authorities in their investigations of these 17 other cases, including the assassination of Member of Parliament Walid Eido and seven others on 13 June 2007 in central Beirut. In total, 25 interviews were conducted on the nine bomb attacks and 27 interviews were conducted on the targeted attacks during the reporting period.

1. Nine bomb attacks

61. The Commission has consolidated information received from the Lebanese authorities and its own investigative work on the nine bomb attacks in which no specific individuals appear to have been targeted, including the 13 February 2007 Ain Alaq bombing. Based on this consolidation, the Commission has identified next steps to be taken in these investigations.

62. Regarding the Ain Alaq bombings, the Commission, working in conjunction with the Lebanese authorities, has established that in each case of the two buses that were targeted, a male boarded the bus, placed an improvised explosive device under one of the seats and then got off the bus before the explosion took place.

63. Some progress was made in the reporting period, through interviews conducted by the Commission and the Lebanese authorities, to establish the identities of the perpetrators. The Lebanese authorities have arrested a number of individuals in connection with the Ain Alaq bombings. One of these individuals has confessed to having placed a bomb in one of the buses. According to statements taken from these individuals, the perpetrators may be linked to extremist groups currently active in Lebanon.

64. A preliminary forensic report indicates that there was only one explosion in each bus, and that in each case the improvised explosive device was placed on the

left hand side of the bus, between the fourth and seventh rows. The report also confirms that the improvised explosive device in the Mitsubishi bus contained about 1.5 kg of explosives combined with between 0.5 and 1 kg of steel ball bearings and that the explosive substances used in the two buses were of a high velocity similar to TNT. These findings are compatible with information given by a number of witnesses and suspects in their statements.

65. Over 120 exhibits, as well as DNA samples, have been collected from the Ain Alaq crime scene, and forensic analysis on these exhibits and samples is ongoing. The Commission has also collected potentially relevant closed-circuit television footage, which will be reviewed in the next reporting period.

66. At this stage, no forensic links between the Ain Alaq bombings and any of the other cases under investigation have been firmly established. Evidence and statements collected by the Commission and the Lebanese authorities indicate that the choice of the date, on the eve of the second anniversary of the assassination of Rafik Hariri, may however be connected with the motives for the attack. The Commission is continuing to investigate this information and other leads relevant to potential links between the Ain Alaq case and other cases within the mandate of the Commission.

67. The Commission has conducted a similar review of information and findings received from the Lebanese authorities in relation to the other eight non-targeted bomb attacks, on which it has been asked to provide assistance to the Lebanese authorities. The objective of this review is twofold: to make a constructive assessment of the investigation conducted by the Lebanese authorities into each case and to identify possible linkages with other cases or areas of interest to the Commission, particularly related to the Hariri case. In total, the Commission has produced three detailed analytical reports comparing these attacks. It should be noted, however, that, owing to resource limitations within the Commission and to other investigative priorities, progress in the investigation of these cases has been limited.

2. Eight targeted attacks

68. The Commission has brought together all of its information, findings and recommendations regarding the attacks targeted at Marwan Hamedeh, Samir Kassir, George Hawi, Elias El-Murr, May Chidiac, Gebran Tueni, Pierre Gemayel and Walid Eido. The Commission has also continued to pursue its investigations into these cases during the reporting period.

Victim profiles and possible motives

69. As part of the consolidation, the Commission has refined its profile of each of the principal victims and has continued to develop a detailed case narrative for each case.

70. Given the profile of the victims, the Commission has given particular attention to the public and political activities of each of the victims in the period preceding the attacks because the Commission's working hypothesis is that it is likely that these played an important role in shaping the environment in which motives to carry out the attacks emerged. This was conducted in tandem with similar steps taken in the Hariri investigation, as detailed above.

71. The Commission has also consolidated its holdings and understanding of the public stance taken by the victims regarding several of the major events that shaped the Lebanese political landscape in recent years, including, among others, the adoption of Security Council resolution 1559 (2004), the extension of the term of President Emile Lahoud, the assassination of Rafik Hariri and the withdrawal of Syrian troops from Lebanon. This analysis has revealed both interesting commonalities as well as some potentially relevant differences in the positions taken by the individuals targeted.

72. In addition, the Commission has consolidated its information and analyses regarding the relationships between each of the victims and several individuals and institutions of particular interest to the investigations. In this line of investigation, the Commission's working hypothesis is that some of these relationships are connected with areas of particular interest in the Hariri investigation.

Modus operandi

73. All of the attacks, except for the assassination of Pierre Gemayel, involved an improvised explosive device placed either in the victim's own vehicle or in a vehicle parked along the route that the victim took on the day of the attack.

74. The modus operandi in each of the attacks involving an improvised explosive device is only different to the extent that a different level of sophistication was necessary to maximize the chance of success. In the attacks targeting May Chidiac, Samir Kassir and George Hawi, an explosive device was placed under each victim's vehicle while it was parked unguarded.

75. In the Marwan Hamadeh, Elias El-Murr and Gebran Tueni cases, where the targeted person had some security arrangement in place, a different modus operandi, involving a roadside vehicle containing a remotely triggered improvised explosive device, was chosen in order to overcome those security arrangements.

76. The Commission's consolidation and comparison of its findings in each of the cases suggest further similarities related to the explosives and to the vehicles used in several of the attacks. The Commission is also using its DNA, fingerprints and sketch databases in the context of these investigations. The Commission will pursue this line of investigation in the coming months.

Threats and claims of responsibility

77. The Commission has also collected a significant amount of information about threats that some of the victims received and has identified common individuals who allegedly threatened several of the victims in the cases under investigation. These individuals may also be linked to the Hariri investigation.

78. In addition, and as noted in previous reports, the Commission's findings suggest that there may be a link between the group claiming responsibility for the Hariri killing and the group that claimed responsibility for the attacks on Samir Kassir, Gebran Tueni and Pierre Gemayel. The Commission has conducted several interviews that relate to this line of inquiry and continues to explore issues relating to these groups.

Communications analysis

79. The analysis of relevant communications traffic has significantly advanced the investigation of the targeted attacks. The nature of the targeted attacks and the profile of the victims suggest that the perpetrators conducted surveillance in the days and weeks preceding the attacks. In addition, it is likely that telephone contact was maintained within each team of perpetrators in the period immediately prior and immediately subsequent to each attack.

80. The Commission has conducted detailed communications analysis to assess whether traces of this surveillance can be identified using call records of persons of interest and call patterns in specific geographical areas over specific time periods. Overall, the Commission notes progress in this analysis, which has helped to uncover interesting leads.

81. Communications analysis conducted so far has helped confirm the Commission's hypothesis that a number of individuals may be relevant to the Hariri case and one or more of the other cases. The Commission will be conducting a number of interviews to further assess the linkages identified so far.

Pierre Gemayel case

82. The Commission has supported the Lebanese authorities by conducting eight interviews relating to the Gemayel case since March 2007, bringing the total number of interviews conducted by the Commission as part of the Gemayel investigation to 19. The Commission is looking into a number of potential motives for the crime, and it is also continuing to investigate whether Pierre Gemayel was under surveillance during the days preceding his attack and who may have known about his intended movements at the time he was killed. Based on witness statements collected so far, the Commission's findings suggest that Mr. Gemayel may have been selected among a small group of potential targets because he had minimal security arrangements in place.

Walid Eido case

83. On 13 June 2007, at around 17.45, Walid Eido, his son, two bodyguards and four other individuals were killed when an improvised explosive device exploded near Mr. Eido's vehicle. Mr. Eido was a member of the parliamentary majority bloc and was considered to be close to Rafik Hariri. The attack took place in the area known as the Manara Corniche in central Beirut, which generally sees heavy vehicle traffic at the time the attack took place.

84. On 14 June 2007, following a request from the Lebanese Prime Minister to the Secretary-General of the United Nations, the Commission was mandated to provide technical assistance to the Lebanese authorities in their investigation into this attack.

85. A team from the Commission visited the crime scene on 15 June 2007, accompanied by six international forensic experts. Subsequently, the Commission and the Lebanese authorities conducted a detailed two-week-long forensic examination of the crime scene.

86. The investigation into this attack is still at an early stage, and the Commission awaits the results from the forensic experts. However, the Commission, working in close cooperation with the Lebanese authorities, has been able to determine a few

elements of interest. Primary conclusions provide some information on the type of vehicle used to carry the improvised explosive device. Further analysis is under way to confirm this finding and to determine the type and quantity of explosives used in the attack.

87. The Commission has also started to establish possible motives for the attack, and has started to put together a profile of the targeted victim and to build a case narrative. The Commission will also continue to identify possible links with other attacks and with the Hariri case. This investigation will be pursued in the next reporting period.

III. External cooperation

A. Interaction with the Lebanese authorities

88. Since its last report to the Council, the Commission has continued to interact closely with the Lebanese authorities on all cases under investigation. Regular meetings and briefings have continued to take place between the Commission and the Prosecutor General and his staff, as well as with the investigative judges assigned to the different cases.

89. During the reporting period, the Commission renewed its efforts to ensure that the Lebanese authorities are regularly kept abreast of the Commission's activities and progress made in its investigations. The Commission continued to share significant amounts of information with the relevant Lebanese authorities, including interviews and analytical reports.

90. Since the last report to the Council, the Commission addressed 88 requests for assistance to the Prosecutor General seeking, inter alia, to obtain relevant documents and help in arranging interviews and other missions in Lebanon. This brings the total number of requests for assistance addressed to the Lebanese authorities since January 2006 to 218. The Lebanese authorities have continued to respond fully and expeditiously to these requests. The Commission gratefully acknowledges this positive cooperation.

91. The Commission also continues to enjoy a close and collegial working relationship with the Internal Security Forces and the Lebanese Army, which provide security to the Commission staff and facilities. The Commission is grateful to these institutions for their excellent support.

B. Cooperation with the Syrian Arab Republic

92. In line with the obligations of the Syrian Arab Republic under Security Council resolutions 1636 (2005) and 1644 (2005), and the common understanding reached between the Commission and the Syrian Arab Republic in 2006, the cooperation of the Syrian Arab Republic with the Commission remains generally satisfactory.

93. Since its last report to the Council, the Commission has submitted 11 formal requests for assistance to the Syrian Arab Republic, asking it to facilitate a number of interviews and seeking to obtain information about individuals and events of

interest to the Commission. This brings the total number of requests for assistance addressed to the Syrian authorities since January 2006 to 57. The Syrian authorities were also forthcoming in making arrangements for four missions to Syria during the reporting period.

94. During the reporting period, the Syrian Arab Republic continued to provide the Commission with assistance in response to its requests within the appropriate timescales. The Commission is also grateful for the logistical and security arrangements provided by Syrian authorities for the Commission's various activities in the Syrian Arab Republic.

95. The Commission will continue to request the full cooperation of the Syrian Arab Republic, which remains crucial to the successful completion of the mandate of the Commission.

C. Cooperation with other States

96. During the reporting period, a total of 18 requests for assistance were sent to 12 States, in addition to the requests for assistance sent to Lebanese and Syrian authorities. This brings the total number of requests for assistance addressed to other States since January 2006 to 106.

97. The Commission has greatly benefited from the responses of States to its requests where full and prompt cooperation has been forthcoming. The Commission is very grateful for this cooperation.

98. It remains of paramount importance that the Commission should be able to rely on the support of States to provide information, assistance, expertise and access when required. During the reporting period, the Commission received particularly helpful and timely assistance from a number of States.

99. The Commission also gratefully acknowledges the expertise and other forms of assistance it received from several States and international institutions during the reporting period. The Commission reiterates the need for continued assistance from these entities in making qualified and specialized human resources available on a regular basis to ensure progress in the investigations.

100. As the Commission noted in its last report to the Council, the Commission will be able to effectively carry out its mandate only if it can count on the cooperation of all States to provide the Commission with the information requested, access to certain individuals, including current and past Government officials, and other forms of technical assistance.

IV. Security

101. The security situation in Lebanon has markedly deteriorated since the Commission's last report. Lebanese armed forces have been engaged in sustained combat for several weeks with fighters associated with Fatah al-Islam in the refugee camp of Nahr al-Barid, near the city of Tripoli in the northern part of the country.

102. Violence during the reporting period was not confined to these areas. Several other significant incidents took place, including the assassination of Walid Eido and

seven others on 13 June 2007. In addition to that attack, a significant number of incidents involving improvised explosive devices took place in Lebanon during the reporting period causing several casualties.

103. On 24 June 2007, six peacekeepers serving with UNIFIL were killed when their convoy was struck by an improvised explosive device near the southern town of Khiam.

104. Security analysis conducted by the Commission in conjunction with several other organizations indicates that the security outlook for Lebanon over the coming months appears to be bleak. This is owed in large part to the combined negative effects of the ongoing political stalemate between the majority and the opposition in Lebanon and the deterioration in the security situation in the region. The period in the run-up to the Lebanese presidential elections, scheduled for later this year, is widely expected to be one of growing tension, possibly marked by further security incidents. In addition, it is unclear what impact the creation of the Special Tribunal for Lebanon will have on the security situation in Lebanon and on the Commission in particular in the months to come.

105. The Commission is very mindful of this general threat environment and of specific threats it faces because of the nature of its mandate. During the reporting period, the Commission conducted regular assessments on all aspects of its security in close cooperation with the Lebanese security forces. Based on these assessments, the Commission, with the full support of the Lebanese authorities, has implemented additional mitigating measures.

106. While measures have been taken to reduce the risks facing the Commission and its staff, the degradation in the security environment in Lebanon has had several negative effects on the ability of the Commission to carry out its mandate. First, this may affect progress in the investigations in that it restricts the Commission's ability to conduct interviews and other investigative activities as freely as was previously the case. Second, the current insecurity and political instability may cause some witnesses to hesitate to cooperate with the Commission. Finally, security concerns may impact the Commission's ability to attract and retain qualified staff in the months to come.

V. Organizational support

A. Recruitment

107. During the past four months, the efforts of the Commission to improve its staffing have borne some positive results, particularly in the investigation, security and language sections, but recruitment remains an area of concern. Of the approved 188 international posts, 125 are filled, compared with 104 at the end of the last reporting period. Of the 51 approved national posts in the Commission, 44 have been filled. The investigation division currently consists of 50 international staff, including 30 investigators, analysts and technical experts.

108. In its last report to the Council, the Commission noted with concern the problem of recruitment of qualified language staff, which remains an essential component of the Commission's ability to carry out its mandate effectively. During the period under review, the Commission made progress in this area. A total of 17

language staff posts have been filled in the language section, up from three at the end of the last reporting period. The Commission also relies on a number of qualified freelance interpreters to fill the human resource gaps in this area. The Department for General Assembly and Conference Management of the Secretariat has been forthcoming in providing one staff interpreter and one staff translator for a period of three months. The Commission is grateful for this support.

B. Budget

109. In June 2007, the Commission submitted a budget proposal for 2008. Since it will be a maintenance budget, no major changes in staffing are envisaged except for a modest increase in security staff resulting from the need to maintain separate premises for office space and accommodation of staff.

VI. Conclusions

110. The substantial consolidation of the Commission's information, analysis and recommendations, which was started and completed during the reporting period, amounts to a significant step in the investigation into the assassination of Rafik Hariri. The 2,400 pages of reports produced as a result of the consolidation effort on the Hariri and the other cases offer both a comprehensive overview of the considerable progress made to date and a valuable tool to further identify and explore remaining investigative steps to be taken in order to complete the Commission's understanding of the facts surrounding these attacks.

111. This undertaking has been a significant step forward in several ways. The consolidation has helped highlight the large number of questions that have been resolved to the satisfaction of the Commission in each area of the investigations. The consolidation effort has equally allowed the Commission to identify a number of key questions that remain open and where further investigative steps will need to be taken. By providing an overview of the status of all the areas of the investigations, the consolidation effort has also allowed the Commission to identity a number of important commonalities between the cases under investigation. These commonalities will be explored in greater depth in the next reporting period. Finally, the consolidated reports emerging from this effort represent a valuable starting point in the transition from the Commission to the Special Tribunal for Lebanon.

112. The Commission notes that the consolidation effort undertaken has helped identify a number of persons of particular interest who may have been involved in some aspect of the preparation and execution of the attack on Rafik Hariri or the other cases under investigation or could have had prior knowledge that plans to carry out these attacks were under way. The Commission will pursue this line of inquiry as a priority in the coming months.

113. Based on the results of the consolidation effort, the Commission produced detailed workplans to identify the priority objectives in each area of the investigation. These workplans, which amount to 150 pages, include, among others, forensic examinations, documents to be reviewed, interviews to be conducted and plans for the collection of further evidence. The workplans are also very helpful to

make the best use of the Commission's limited resources. The Commission foresees that the next reporting period will be particularly active in carrying out the priorities identified as a result of the consolidation effort. More than 200 interviews are planned in the Hariri investigation and about 100 interviews are being scheduled in the 17 other cases.

114. In all aspects of its work, the Commission continues to enjoy close and collegial cooperation with the Lebanese authorities, particularly with the Prosecutor General and his staff. Illustrating the sustained pace of the investigations, the number of requests for assistance addressed to the Lebanese authorities has considerably increased since the Commission's last report to the Council. Nevertheless, the Lebanese authorities have continued to respond fully to these requests.

115. The Commission also notes that the Syrian Arab Republic and other States have continued to provide mostly positive responses to its requests for assistance. Cooperation from all States remains of paramount importance in order for the Commission to implement its mandate in a timely manner. The Commission therefore calls on all States to continue to respond fully to the Commission's requests.

116. Since the Commission's last report to the Council, Lebanon has experienced a phase of increased political and security volatility, as illustrated by the prolonged fighting in the refugee camp of Nahr al-Barid, the assassination of Walid Eido and the attack on UNIFIL troops. As indicated above, the Commission is taking all possible measures to mitigate the risks to its staff and premises. The Commission is particularly grateful to the Lebanese security forces for their outstanding support in this respect.

117. Against the backdrop of Security Council resolution 1757 (2007), the Commission is working to ensure a smooth handover between the Commission and the Special Tribunal for Lebanon when the Tribunal begins to function. The Commission stands ready to cooperate with the Secretary-General of the United Nations and with the Special Tribunal for Lebanon on all issues pertaining to this transition.